

04-CV-02119-MISC

Appeal

**U.S. Bankruptcy Court
Western District of Washington (Seattle)
Bankruptcy Petition #: 03-26025-SJS
Internal Use Only**

Assigned to: Samuel J. Steiner
Chapter 11
Voluntary
Asset

Date Filed: 12/16/2003

**Klean Earth Environmental
Company**
12600 4th Ave W-11-I
Everett, WA 98204
(425) 774-2837
Tax id: 91-1570587
**Debtor
dba
KEECO**

represented by **Stuart P Kastner**
701 5th Ave #5800
Seattle, WA 98104
206-682-7090
Email: skastner@mpba.com













US Trustee
700 Stewart St Ste 5103
Seattle, WA 98101
(206) 553-2000
US Trustee

represented by **Martin L Smith**
US Trustee
700 Stewart St Ste 5103
Seattle, WA 98101
206-553-2000
Email: martin.l.smith@usdoj.gov

Unsecured Creditors Committee
Creditor Committee

represented by **Charles A Johnson, Jr**
5413 Meridian Ave N #A
Seattle, WA 98103-6138
(206) 632-8980
Email: charlie@johnsonlaw.com

Filing Date	#	Docket Text
12/16/2003	<u>1</u>	Chapter 11 Voluntary Petition . Schedule C due 12/31/2003. Schedule I due 12/31/2003. Schedule J due 12/31/2003. Incomplete Filings due by 12/31/2003, Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company . (Heuerman, Mari) Additional attachment(s) added on 12/17/2003 (Jones, John). Additional attachment(s) added on 12/17/2003 (Jones, John). (Entered: 12/16/2003)

12/16/2003		Receipt of Voluntary Petition Filing Fee or Final Installment of Filing Fee. Fee Amount \$ 839. (related document(s) <u>1</u> Chapter 11 Voluntary Petition). Filing fee collected, receipt #103917. (Heuerman, Mari) (Entered: 12/16/2003)
12/17/2003		Pending Deadlines Terminated . Terminated Deficiency for Schedule C. (Jones, John) (Entered: 12/17/2003)
12/17/2003	 <u>2</u>	Notice of Deadline for Petition Deficiencies . (Jones, John) (Entered: 12/17/2003)
12/17/2003	 <u>3</u>	Notice of Appearance Filed by Martin L Smith on behalf of US Trustee.. (Smith, Martin) (Entered: 12/17/2003)
12/19/2003	 <u>4</u>	BNC Certificate of Service Service Date 12/19/2003. (Related Doc # <u>2</u>) (Admin.) (Entered: 12/19/2003)
12/22/2003	 <u>5</u>	First Meeting of Creditors Business Filed by US Trustee. With 341(a) meeting to be held on 1/26/2004 at 01:30 PM at One Union Square Ch 13 341 Meetings (Hypse, Cynthia) (Entered: 12/22/2003)
12/22/2003	 <u>6</u>	Amended First Meeting of Creditors Business Filed by US Trustee. With 341(a) meeting to be held on 1/26/2004 at 01:30 PM at Park Place Building 341 Meetings (Hypse, Cynthia) (Entered: 12/22/2003)
12/25/2003	 <u>7</u>	BNC Certificate of Mailing - Meeting of Creditors Service Date 12/25/2003. (Related Doc # <u>6</u>) (Admin.) (Entered: 12/25/2003)
12/29/2003	 <u>9</u>	Request for Special Notice Filed by Kevin P Hanchett on behalf of Revive Capital . . (Atkins, Sharon) (Entered: 01/08/2004)
12/31/2003	 <u>10</u>	Cover Sheet to Income and Expense Statement Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company . (related document(s) <u>1</u> Chapter 11 Voluntary Petition,). (Atkins, Sharon) (Entered: 01/08/2004)
01/02/2004	 <u>11</u>	Request for Special Notice Filed by Richard P Lentini on behalf of William Anderson . . (Atkins, Sharon) (Entered: 01/09/2004)
01/02/2004	 <u>12</u>	Request for Special Notice Filed by Richard P Lentini on behalf of Henry Ackerman . . (Atkins, Sharon) (Entered: 01/09/2004)
01/08/2004	 <u>8</u>	Appointment by the U.S. Trustee of Committee of Unsecured

		Creditors Filed by Mark H Weber on behalf of US Trustee. (Weber, Mark) (Entered: 01/08/2004)
01/09/2004	● <u>13</u>	Request for Special Notice Filed by Brian Lynch on behalf of Ford Motor Credit Company.. (Lynch, Brian) (Entered: 01/09/2004)
01/09/2004	● <u>14</u>	Motion for Adequate Protection, Motion for Relief from Stay, <i>Re 1998 Ford Expedition</i> and Notice of Hearing. Filed by Brian Lynch on behalf of Ford Motor Credit Company. Scheduled for 2/6/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. Response due by 1/30/2004. (Attachments: # <u>1</u> Proposed Order) (Lynch, Brian) (Entered: 01/09/2004)
01/09/2004	● <u>15</u>	Proof of Service Filed by Brian Lynch on behalf of Ford Motor Credit Company. (related document(s) <u>13</u> Request for Special Notice, <u>14</u> Motion for Adequate Protection,, Motion for Relief from Stay with Notice of Hearing,). (Attachments: # <u>1</u> List of Creditors) (Lynch, Brian) (Entered: 01/09/2004)
01/09/2004	● <u>16</u>	Debtor's Application to Employ Stuart P. Kastner as Counsel. Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # <u>1</u> Exhibit A) (Kastner, Stuart) Additional attachment(s) added on 1/12/2004 (Atkins, Sharon). (Entered: 01/09/2004)
01/09/2004	● <u>17</u>	Debtor's Application to Employ Michael E. Gossler as Counsel. Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # (1) Exhibit A) (Kastner, Stuart) Additional attachment(s) added on 1/12/2004 (Atkins, Sharon). (Docketed in Error) Modified on 1/12/2004 (Atkins, Sharon). (Entered: 01/09/2004)
01/09/2004	● <u>18</u>	Statement (<i>Verified</i>) of Disinterestedness in Support of Application for Employment (related document(s) <u>16</u> Application to Employ). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 01/09/2004)
01/12/2004	●	Receipt of Motion Fee. Fee Amount \$ 150. Reference Number 1001 (related document(s) <u>14</u> Motion for Adequate Protection, , Motion for Relief from Stay with Notice of Hearing,). Filing fee collected, receipt #105579. (Brown, Ethel) (Entered: 01/12/2004)
01/20/2004	● <u>19</u>	Amended Appointment by the U.S. Trustee of Committee of Unsecured Creditors <i>First Amended Appointment</i> Filed by Mark H Weber on behalf of US Trustee. (Weber, Mark)









		(Entered: 01/20/2004)
01/20/2004	20	ORDER Employing Professional Attorney Stuart Kastner for Debtor Signed on 1/20/2004 (related document(s)16 Application to Employ,). (Atkins, Sharon) (Entered: 01/20/2004)
01/20/2004	21	Debtor's Motion to Establish Claim Bar Date. Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # 1 Exhibit A# 2 Ex Parte Order Establishing Claim Bar Date) (Kastner, Stuart) (Entered: 01/20/2004)
01/21/2004	22	Debtor's Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature Ex Parte Order Establishing Claim Bar Date Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s)21 Motion). (Kastner, Stuart) (Entered: 01/21/2004)
01/21/2004	23	ORDER Fixing Last Date to File Proof of Claim Signed on 1/21/2004 (related document(s)21 Motion). Proof of Claims due by 3/12/2004, (Redmond, Danny) (Entered: 01/23/2004)
01/27/2004		U.S. Trustee Meeting of Creditors Chapter 11 Held Filed by US Trustee. (Hypse, Cynthia) (Entered: 01/27/2004)
01/29/2004	24	Debtor's Motion for Approval of Post-Petition Secured Borrowing Pursuant to 11 U.S.C. Section 364. Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # 1 Proposed Order Approving Post-Petition Secured Borrowing) (Kastner, Stuart) (Entered: 01/29/2004)
01/29/2004	25	Debtor's Declaration of James D. Roma in Support of Motion for Approval of Post-Petition Secured Borrowing (related document(s)24 Motion,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # 1 Exhibit A - Debtor-in-Possession Financing Agreement# 2 Exhibit B - KEECO Monthly Budget) (Kastner, Stuart) (Entered: 01/29/2004)
01/29/2004	26	Debtor's Notice of Hearing on Motion for Approval of Post-Petition Secured Borrowing (related document(s)24 Motion,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. Scheduled for 2/13/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. Response due by 2/9/2004. (Kastner, Stuart) (Entered: 01/29/2004)
01/29/2004	27	Debtor's Declaration Certification of Counsel (related

		document(s) <u>24</u> Motion,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 01/29/2004)
01/29/2004	● <u>28</u>	Debtor's Proof of Service Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>24</u> Motion,). (Kastner, Stuart) (Entered: 01/29/2004)
01/29/2004	● <u>29</u>	Notice of Deadline to File Claims Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>23</u> Fixing Last Date to File Proof of Claim). (Atkins, Sharon) Modified on 2/4/2004 to correct docket text (Schiro, Tony). (Entered: 01/30/2004)
02/02/2004	● <u>30</u>	<i>Declaration of No Response to Motion for Relief from Stay on 1998 Ford Expedition</i> (related document(s) <u>14</u> Motion for Adequate Protection,, Motion for Relief from Stay with Notice of Hearing,). Filed by Brian Lynch on behalf of Ford Motor Credit Company. (Lynch, Brian) (Entered: 02/02/2004)
02/02/2004	● <u>31</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature <i>Order Re Relief from Stay on 1998 Ford Expedition</i> Filed by Brian Lynch on behalf of Ford Motor Credit Company. (related document(s) <u>14</u> Motion for Adequate Protection,, Motion for Relief from Stay with Notice of Hearing,). (Lynch, Brian) (Entered: 02/02/2004)
02/02/2004	●	Minute Entry: Motion for Relief from Stay &/or Adequate Protection (Ford Motor Credit Co.). No opposition; Order signed 2-2-04. Hearing regularly scheduled for 2-6-04 is stricken. (related document(s) <u>14</u>). (Brooks, Janice) (Entered: 02/02/2004)
02/02/2004	● <u>32</u>	ORDER Granting Motion for Adequate Protection (Related Doc # <u>14</u>), Granting Motion for Relief from Stay on 1998 Ford Expedition (Related Doc # <u>14</u>) Signed on 2/2/2004. (Atkins, Sharon) (Entered: 02/03/2004)
02/04/2004	● <u>33</u>	Debtor's Proof of Service of <i>Notice of Deadline to File Claim and Proof of Claim Form</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>23</u> Fixing Last Date to File Proof of Claim (no motion)). (Attachments: # <u>1</u> Exhibit A & B - Mailing Lists) (Kastner, Stuart) (Entered: 02/04/2004)
02/04/2004	● <u>34</u>	Debtor's Notice of <i>Amendment (adding parties)</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 02/04/2004)

02/04/2004	<u>35</u>	Debtor's Declaration of Service (related document(s) <u>35</u> UST First Meeting Business Chapter 11). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 02/04/2004)
02/04/2004	<u>36</u>	Notice of Addition to Creditor List <i>American Express Centurion Bank c/o Becket and Lee, LLP P.O. Box 3001 Malvern, PA 19355-0701..</i> (Lee, Tom) (Entered: 02/04/2004)
02/06/2004	<u>36</u>	ExParte Application to Employ Charles A Johnson Jr as Attorney for Official Unsecured Creditors Committee Filed by Unsecured Creditors Committee . (Atkins, Sharon) (Entered: 02/06/2004)
02/06/2004	<u>37</u>	Verified Statement of Charles A Johnson Jr (related document(s) <u>36</u> Application to Employ). Filed by Charles A Johnson Jr (Atkins, Sharon) (Entered: 02/06/2004)
02/06/2004	<u>38</u>	ORDER Authorizing Employment of Attorney for Creditors Committee Signed on 2/6/2004 (related document(s) <u>36</u> Application to Employ). (Atkins, Sharon) (Entered: 02/06/2004)
02/09/2004	<u>39</u>	Letter To Attorney Brian Lynch from Judge Steiner: (related document(s) <u>32</u> Order on Motion for Adequate Protection, Order Re Motion for Relief from Stay with Hearing). (Atkins, Sharon) (Entered: 02/09/2004)
02/09/2004	<u>40</u>	Objection by Creditors Committee to Proposed Post-Petition Secured Borrowing (related document(s) <u>24</u> Motion,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Johnson, Charles) (Entered: 02/09/2004)
02/09/2004	<u>41</u>	Opposition to Motion for Approval of Post Petition Secured Borrowing (related document(s) <u>24</u> Motion,). Filed by Richard P Lentini on behalf of Henry Ackerman , William Anderson . (Atkins, Sharon) (Entered: 02/10/2004)
02/09/2004	<u>42</u>	Declaration of Richard P Lentini in Opposition to Motion for Approval of Post Petition Secured Borrowing (related document(s) <u>41</u> Opposition). Filed by Richard P Lentini on behalf of Henry Ackerman , William Anderson . (Atkins, Sharon) (Entered: 02/10/2004)
02/11/2004	<u>44</u>	Request for Special Notice Filed by Theresa A Goetz on behalf of William J Cree . . (Atkins, Sharon) (Entered: 02/12/2004)
02/11/2004	<u>45</u>	Proof of Service Filed by Richard P Lentini on behalf of Henry

		Ackerman, William Anderson. (related document(s) <u>41</u> Opposition, <u>42</u> Declaration). (Atkins, Sharon) (Entered: 02/12/2004)
02/12/2004	● <u>43</u>	Debtor's Monthly Financial Report for the period of <i>December 2003</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company.. (Kastner, Stuart) (Entered: 02/12/2004)
02/18/2004	●	Minutes: Motion for Approval of Post-Petition Secured Borrowing Pursuant to 11 U.S.C. Section 364. Hearing continued to 2/20/2004 at 09:30 AM, Room 407, Park Place Building, 1200 Sixth Avenue, Seattle, WA. (related document(s) <u>24</u>). (Brooks, Janice) (Entered: 02/18/2004)
02/18/2004	● <u>46</u>	Debtor's Reply <i>in Support of Motion to Approve Post-Petition Financing</i> (related document(s) <u>24</u> Motion, <u>25</u> Declaration,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 02/18/2004)
02/18/2004	● <u>47</u>	Debtor's Declaration of <i>James D. Roma in Support of Motion for Post-Petition Financing</i> (related document(s) <u>24</u> Motion,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 02/18/2004)
02/18/2004	● <u>48</u>	Debtor's Proof of Service of <i>Reply in Support of Motion to Approve Post-Petition Financing and Dec. of James D. Roma in Support of Motion for Post-Petition Financing</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>46</u> Reply, <u>47</u> Declaration). (Kastner, Stuart) (Entered: 02/18/2004)
02/20/2004	●	Minutes: Cont'd Motion for Approval of Post-Petition Secured Borrowing Pursuant to 11 U.S.C. Sec. 364. Argument presented. The Court approved the motion and will allow payment of \$3500.00 per month to two employees with a review hearing in 60 days. A retainer deposit is approved for counsel for creditor's committee. Order to be presented. Court Reporter: Shari Ahearn. Appearances: Stewart Kastner rep. debtor; Charles Johnson rep. CC; Richard Lentini rep. Anderson & Ackerman. (related document(s) <u>24</u>). (Brooks, Janice) (Entered: 03/08/2004)
02/25/2004	● <u>49</u>	Debtor's Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature <i>Order Approving Post-Petition Secured Borrowing</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>24</u> Motion,).

		(Kastner, Stuart) (Entered: 02/25/2004)
02/25/2004	<u>50</u>	ORDER Approving Post Petition Secured Borrowing (Related Doc # <u>24</u>) Signed on 2/25/2004. (Atkins, Sharon) (Entered: 02/25/2004)
03/01/2004	<u>51</u>	Letter From Attorney to Judge: <i>In response to the letter dated February 6, 2004</i> Filed by Brian Lynch on behalf of Ford Motor Credit Company. (related document(s) <u>39</u> Letter To). (Lynch, Brian) (Entered: 03/01/2004)
03/05/2004	<u>52</u>	Amendment to <i>Equity Shareholder Mailing Matrix</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company.. (Kastner, Stuart) (Entered: 03/05/2004)
03/08/2004	<u>53</u>	Letter from Court Requesting Fee (related document(s) <u>52</u> Amendment). Fee due by 3/23/2004. (Atkins, Sharon) (Entered: 03/08/2004)
03/10/2004	<u>54</u>	BNC Certificate of Service Service Date 03/10/2004. (Related Doc # <u>53</u>) (Admin.) (Entered: 03/10/2004)
03/16/2004	<u>55</u>	Monthly Financial Report for the period of January 2004 Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company . . (Atkins, Sharon) (Entered: 03/17/2004)
03/16/2004	<u>56</u>	Monthly Financial Report for the period of February 2004 Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company . . (Atkins, Sharon) (Entered: 03/17/2004)
03/18/2004	57	Receipt of Amendment Filing Fee - \$26.00 by CT. Receipt Number 00110015. (Entered: 03/19/2004)
03/23/2004	<u>57</u>	Notice of Addition to Creditor List <i>American Express Centurion Bank c/o Becket and Lee, LLP P.O. Box 3001 Malvern, PA 19355-0701..</i> (Lee, Tom) (Entered: 03/23/2004)
03/25/2004	<u>58</u>	Debtor's Notice of <i>Hearing on Debtor's Disclosure Statement</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 03/25/2004)
03/25/2004	<u>59</u>	Debtor's Disclosure Statement (related document(s) <u>58</u> Generic Notice). filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # <u>4</u> Exhibit A-Plan of Reorganization # <u>2</u> Exhibit B-License Agreement)(Kastner, Stuart) Additional attachment(s) added on 3/25/2004 (Harris, Jennie). Additional attachment(s) added on 3/26/2004 (Correct








		Document Attached; Exhibit A) (Atkins, Sharon). (Entered: 03/25/2004)
03/26/2004	 <u>58</u>	Set Hearing (related document(s) <u>58</u> Notice of Hearing on Disclosure Statement). Scheduled for 4/23/2004 at 11:00 AM at Judge Steiner Courtroom, Room 407, Park Place Building. (Atkins, Sharon) (Entered: 03/26/2004)
03/31/2004	 <u>60</u>	Debtor's Proof of Service of Notice of Hearing on Debtor's Disclosure Statement and Debtor's Disclosure Statement Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>58</u> Generic Notice, <u>59</u> Disclosure Statement,). (Attachments: # <u>1</u> Exhibit A-Label Matrix for USBC# <u>2</u> Exhibit B-Mailing List Shareholders, etc.) (Kastner, Stuart) (Entered: 03/31/2004)
04/01/2004	 <u>61</u>	Amendment Adding Creditors Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>1</u> Chapter 11 Voluntary Petition,). (Attachments: # <u>1</u> Schedule E Amended# <u>2</u> Schedule F Amended# <u>3</u> Schedule G Amended# <u>4</u> Matrix Amended) (Kastner, Stuart) (Entered: 04/01/2004)
04/01/2004		Receipt of filing fee for Amendment - Adding new names or changing addresses(03-26025-SJS) [misc,860] (26.00). Receipt number 0981B2889371. Fee amount \$ 26.00. (U.S. Treasury) (Entered: 04/01/2004)
04/02/2004	 <u>62</u>	Notice of Absence of Counsel for Creditors Committee Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Johnson, Charles) (Entered: 04/02/2004)
04/14/2004	 <u>64</u>	Letter To Judge from Creditor Re: Objection to Plan and Disclosure Statement. (Atkins, Sharon) (Entered: 04/15/2004)
04/15/2004	 <u>63</u>	Objection to Disclosure Statement by Anderson and Ackermann (related document(s) <u>59</u> Disclosure Statement,). Filed by Timothy W Dore on behalf of Henry Ackerman, William Anderson. (Dore, Timothy) (Entered: 04/15/2004)
04/15/2004	 <u>65</u>	Objection to DST by Unsecured Creditors Committee (related document(s) <u>58</u> Generic Notice). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Johnson, Charles) (Entered: 04/15/2004)
04/16/2004	 <u>66</u>	Objection to Debtor's Disclosure Statement (related document(s) <u>59</u> Disclosure Statement,). Filed by T Jeffrey Keane on behalf of Ohmer-Koenigs , Don Koenigs . (Atkins,

		Sharon) (Entered: 04/19/2004)
04/16/2004	<u>67</u>	Proof of Service Filed by T Jeffrey Keane on behalf of Don Koenigs , Ohmer-Koenigs . (related document(s) <u>66</u> Objection). (Atkins, Sharon) (Entered: 04/19/2004)
04/21/2004	<u>68</u>	Letter From Attorney to Judge: <i>Samuel J. Steiner</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>58</u> Generic Notice). (Kastner, Stuart) (Entered: 04/21/2004)
04/21/2004	<u>69</u>	Minute Entry: Hearing on Approval of Debtor's Disclosure Statement regularly scheduled for 4-23-04 is continued to 5/7/2004 at 11:00 AM, Room 407, Park Place Building, 1200 Sixth Avenue, Seattle, WA. (related document(s) <u>58</u> , <u>59</u>). (Brooks, Janice) (Entered: 04/21/2004)
04/22/2004	<u>69</u>	Withdrawal of Attorney <i>Brian D Lynch of Bishop Lynch & White PS</i> and substituting Attorney <i>Jennifer L Aspaas of Bishop White Miersma & Marshall PS</i> . (Tada, Juliane) (Entered: 04/26/2004)
04/29/2004	<u>70</u>	Debtor's Monthly Financial Report for the period of <i>March 2004</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 04/29/2004)
05/05/2004	<u>71</u>	Debtor's Objection <i>Summary of Objections</i> (related document(s) <u>63</u> Objection, <u>65</u> Objection, <u>66</u> Objection). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 05/05/2004)
05/07/2004	<u>72</u>	Minutes: Cont'd Hearing on Approval of Disclosure Statement. Hearing continued to 5/14/2004 at 11:00 AM, Room 407, Park Place Building, 1200 Sixth Avenue, Seattle, WA. Court Reporter: Shari Ahearn. Appearances: Stuart Kastner rep. debtor. (related document(s) <u>58</u> <u>59</u> (Brooks, Janice) (Entered: 05/10/2004)
05/12/2004	<u>72</u>	Debtor's Objection <i>Summary of Objections (Amended)</i> (related document(s) Minute Hearing,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # <u>1</u> Pleading Debtor's First Amended Disclosure Statement (red lined)) (Kastner, Stuart) (Entered: 05/12/2004)
05/12/2004	<u>73</u>	Debtor's Disclosure Statement <i>Debtor's First Amended Disclosure Statement</i> (related document(s) Minute Hearing, <u>72</u> Objection,). filed by Stuart P Kastner on behalf of Klean

		Earth Environmental Company. (Attachments: # <u>1</u> Exhibit A-Debtor's Plan of Reorganization# <u>2</u> Exhibit B-Licensing Agreement# <u>3</u> Exhibit C-Pro forma# <u>4</u> Exhibit D-Brandon M. Williams Resume# <u>5</u> Exhibit E-Sweatwater Target List)(Kastner, Stuart) (Entered: 05/12/2004)
05/14/2004	<u>74</u>	Minutes: Cont'd Hearing on Approval of Disclosure Statement. Argument presented. The Court approved the debtor's disclosure statement on the condition that it will not be sent out at this time; the debtor agreed to waive the exclusivity period and the investors will have until 6-15-04 to file their plan & disclosure statement. The disclosure statement hearing on the competing plan will be held on shortened time 6-25-04 at 11:00AM. Mr. Day to present and order waiving exclusivity and Mr. Kastner to present an order approving the debtor's disclosure statement. Court Reporter: Robyn Fiedler. Appearances: Stuart Kastner rep. debtor; Tim Dore rep. Anderson & Ackermann; Jim Day rep. Investor group; Charlie Johnson rep. CC; T. Jeffrey Keane rep. Ohmer-Koenig and Martin Smith rep. UST. (related document(s) <u>58</u> , <u>59</u> , <u>73</u>). (Brooks, Janice) (Entered: 05/25/2004)
05/18/2004	<u>74</u>	Application for Compensation of Unsecured Creditors Committee's Counsel.. Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. Scheduled for 6/11/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. Response due by 6/7/2004. (Attachments: # <u>1</u> Proposed Order Order Allowing Interim Fees) (Johnson, Charles) (Entered: 05/18/2004)
05/18/2004	<u>75</u>	Notice of Hearing of Application by Unsecured Creditors Committee's Counsel for Allowance and Payment of Fees and Expenses (related document(s) <u>74</u> Application for Compensation with Notice of Hearing,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. Scheduled for 6/11/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. Response due by 6/7/2004. (Johnson, Charles) (Entered: 05/18/2004)
05/18/2004	<u>77</u>	Declaration of Charles A Johnson Jr in Support of Application Allowing Attorney Fees and Costs as Administrative Expenses (related document(s) <u>74</u> Application for Compensation with Notice of Hearing,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee . (Atkins, Sharon) (Entered: 05/19/2004)
05/19/2004	<u>76</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature Regarding Debtor's Disclosure Statement Filed by Timothy W Dore on behalf of Henry Ackerman,

		William Anderson. (related document(s) <u>73</u> Disclosure Statement,). (Dore, Timothy) (Entered: 05/19/2004)
05/19/2004	<u>78</u>	Debtor's Application for Compensation <i>Montgomery Purdue Blankinship & Austin PLLC's First Application for Interim Compensation..</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # <u>1</u> Exhibit A) (Kastner, Stuart) Additional attachment(s) added on 5/20/2004 (Atkins, Sharon). (Entered: 05/19/2004)
05/19/2004	<u>79</u>	Debtor's Notice of Hearing on <i>Application for Interim Compensation</i> (related document(s) <u>78</u> Application for Compensation,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 05/19/2004)
05/19/2004	<u>80</u>	(Docketed in Error; Proposed Order) Debtor's Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature <i>Order Approving Application for Interim Compensation</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>78</u> Application for Compensation,, <u>79</u> Hearing Notice). (Kastner, Stuart) Modified on 5/20/2004 (Atkins, Sharon). Additional attachment(s) added on 5/20/2004 (Atkins, Sharon). (Entered: 05/19/2004)
05/19/2004	<u>81</u>	Debtor's Proof of Service Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>80</u> Received UNSIGNED Order,, <u>78</u> Application for Compensation,, <u>79</u> Hearing Notice). (Attachments: # <u>1</u> Exhibit A-Mailing Matrix) (Kastner, Stuart) (Entered: 05/19/2004)
05/19/2004	<u>82</u>	Debtor's Proof of Service <i>Amended</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>80</u> Received UNSIGNED Order,, <u>78</u> Application for Compensation,, <u>79</u> Hearing Notice). (Attachments: # <u>1</u> Exhibit A-Mailing Matrix) (Kastner, Stuart) (Entered: 05/19/2004)
05/19/2004	<u>83</u>	Debtor's Proof of Service Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>80</u> Received UNSIGNED Order,, <u>78</u> Application for Compensation,, <u>79</u> Hearing Notice). (Kastner, Stuart) (Entered: 05/19/2004)
05/19/2004	<u>85</u>	ORDER Regarding Debtor's Disclosure Statement Signed on 5/19/2004 (related document(s) <u>73</u> Disclosure Statement,). Objections due by 6/22/2004, (Atkins, Sharon) (Entered: 05/19/2004)

		05/20/2004)
05/19/2004	●	Set Hearing Re: Adequacy of Alternative Disclosure Statement (related document(s) <u>85</u> Order Approving Disclosure Statement). Scheduled for 6/25/2004 at 11:00 AM at Judge Steiner Courtroom, Room 407, Park Place Building. (Atkins, Sharon) (Entered: 05/20/2004)
05/19/2004	●	Set Hearing Re: Application for Interim Compensation Montgomery Purdue Blakinship & Austin PLLC (related document(s) <u>78</u> Application for Compensation,). Scheduled for 6/11/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. (Atkins, Sharon) (Entered: 05/20/2004)
05/20/2004	● <u>84</u>	Proof of Service of Notice of Application and Hearing on Interim Fees and Costs by Attorney for Official Unsecured Creditors Committee Filed by Stuart P Kastner on behalf of Unsecured Creditors Committee. (related document(s) <u>74</u> Application for Compensation with Notice of Hearing,, <u>77</u> Declaration,). (Attachments: # <u>1</u> Exhibit A-Mailing Matrix) (Kastner, Stuart) (Entered: 05/20/2004)
05/20/2004	●	Statement of Administrative Expenses .(No Costs Due) (Atkins, Sharon) (Entered: 05/20/2004)
05/27/2004	● <u>86</u>	Debtor's Motion to Approve Additional Salaries. Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # <u>1</u> Proposed Order Approving Payment of Additional Salaries) (Kastner, Stuart) (Entered: 05/27/2004)
05/27/2004	● <u>87</u>	Debtor's Notice of Hearing of Motion to Approve Additional Salaries (related document(s) <u>86</u> Motion). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. Scheduled for 6/11/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. Response due by 6/7/2004. (Kastner, Stuart) (Entered: 05/27/2004)
05/27/2004	● <u>88</u>	Debtor's Proof of Service Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>86</u> Motion, <u>87</u> Hearing Notice,). (Kastner, Stuart) (Entered: 05/27/2004)
06/03/2004	● <u>89</u>	Application for FRBP 2004 Examination --Motion For Order Directing James T. Andrews Of Klean Earth Environmental Company To Appear At 2004 Examination And To Produce Certain Documents. Filed by Christine M Tobin on behalf of Joseph Pignataro. (Tobin, Christine) (Entered: 06/03/2004)

06/03/2004	 <u>90</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature -- <i>Order Directing James T. Andrews Of Klean Earth Environmental Company To Appear At 2004 Examination And To Produce Documents</i> Filed by Christine M Tobin on behalf of Joseph Pignataro. (related document(s) <u>89</u> Application for FRBP 2004 Examination,). (Tobin, Christine) (Entered: 06/03/2004)
06/10/2004	 <u>91</u>	(Docketed in Error. Recieved Unsigned Order re-submitted; docket #92. Attachments not included.) Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature -- <i>Order Directing James T. Andrews Of Klean Earth Environmental Company To Appear At 2004 Examination And To Produce Certain Documents</i> Filed by James L Day on behalf of Joseph Pignataro. (related document(s) <u>90</u> Received UNSIGNED Order,, <u>89</u> Application for FRBP 2004 Examination,). (Day, James) Modified on 6/10/2004 (Atkins, Sharon). Additional attachment(s) added on 6/10/2004 (Atkins, Sharon). (Entered: 06/10/2004)
06/10/2004	 <u>92</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature -- <i>Order Directing James T. Andrews Of Klean Earth Environmental Company To Appear At 2004 Examination And To Produce Certain Documents</i> Filed by James L Day on behalf of Joseph Pignataro. (related document(s) <u>89</u> Application for FRBP 2004 Examination,). (Day, James) (Entered: 06/10/2004)
06/10/2004	 <u>94</u>	ORDER Directing James T Andrews of Klean Earth Environmental to Appear at 2004 Examination and to Produce Certain Documents(Related Doc # <u>89</u>) Signed on 6/10/2004. (Atkins, Sharon) (Entered: 06/14/2004)
06/14/2004	 <u>93</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature <i>Allowing Interim Fees to Attorney for Official Unsecured Creditors Committee</i> Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (related document(s) <u>74</u> Application for Compensation with Notice of Hearing,). (Johnson, Charles) (Entered: 06/14/2004)
06/14/2004	 <u>95</u>	ORDER Approving Payment of Additional Salaries (Related Doc # <u>86</u>) Signed on 6/14/2004. (Atkins, Sharon) (Entered: 06/14/2004)
06/14/2004	 <u>96</u>	ORDER Granting Compensation for Montgomery Purdue Blankinship & Austin PLLC, Debtor's Attorney, Fees awarded: \$25795.00, Expenses awarded: \$2530.91; Signed on 6/14/2004 (related document(s) <u>78</u> Application for Compensation,). (Atkins, Sharon) Modified on 6/15/2004

		(Atkins, Sharon). (Entered: 06/14/2004)
06/14/2004	●	Minute Entry: Application for Compensation of Attorney for Creditor Committee (Charles A. Johnson, Jr.). No objections; application approved. Order to be presented electronically. Court Reporter: Robyn Fiedler. Appearances: Charles Johnson, sworn & testified. (related document(s) <u>74</u>). (Brooks, Janice) (Entered: 06/28/2004)
06/14/2004	●	Minutes: Debtor's Application for Compensation (Stuart Kastner). No objections; application approved and order signed. Court Reporter: Robyn Fiedler. Appearances: Stuart Kastner sworn & testified. (related document(s) <u>78</u>). (Brooks, Janice) (Entered: 06/28/2004)
06/14/2004	●	Minutes: Motion to Approve Additional Salaries. No objections; motion granted & order signed. Court Reporter: Robyn Fiedler. Appearances: Stuart Kastner rep. debtor. (related document(s) <u>86</u>). (Brooks, Janice) (Entered: 06/28/2004)
06/15/2004		Final Fee Award - for Montgomery Purdue Blankinship, Debtor's Attorney, Fees awarded: \$25795.00, Expenses awarded: \$2530.91; Signed on 6/14/2004. (Atkins, Sharon) (Entered: 06/15/2004)
06/15/2004	● <u>97</u>	Disclosure Statement Of Joseph Pignataro And Ten-X LLC filed by James L Day on behalf of Joseph Pignataro. (Attachments: # <u>1</u> Part 2# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C)(Day, James) (Entered: 06/15/2004)
06/15/2004	● <u>98</u>	Chapter 11 Plan --Plan of Reorganization Of Ten-X LLC (related document(s) <u>97</u> Disclosure Statement). filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 06/15/2004)
06/15/2004	● <u>99</u>	Notice of Hearing On Approval Of Disclosure Statement (related document(s) <u>97</u> Disclosure Statement, <u>98</u> Chapter 11 Plan, Set Hearing). Filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 06/15/2004)
06/15/2004	● <u>100</u>	Proof of Service Filed by James L Day on behalf of Joseph Pignataro. (related document(s) <u>97</u> Disclosure Statement, <u>98</u> Chapter 11 Plan, <u>99</u> Hearing Notice). (Day, James) (Entered: 06/15/2004)
06/15/2004	● <u>101</u>	ORDER Granting Interim Fees Compensation for Charles A Johnson, Creditor Comm. Atty, Fees awarded: \$12012.00, Expenses awarded: \$262.10; Signed on 6/15/2004 (related

		document(s) <u>74</u> Application for Compensation with Notice of Hearing,). (Atkins, Sharon) (Entered: 06/15/2004)
06/16/2004	<u>102</u>	(Docketed in Error)Change of Address for Debtor (Atkins, Sharon) Modified on 6/16/2004 (Atkins, Sharon). Additional attachment(s) added on 6/16/2004 (Atkins, Sharon). (Entered: 06/16/2004)
06/16/2004	<u>103</u>	Change of Address Filed by Janice Panter , Randy Parrott . (Atkins, Sharon) (Entered: 06/16/2004)
06/23/2004	<u>104</u>	Debtor's Objection to Approval of Disclosure Statement (related document(s) Minute Hearing,,, <u>97</u> Disclosure Statement, <u>98</u> Chapter 11 Plan, <u>99</u> Hearing Notice, Set Hearing). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 06/23/2004)
06/23/2004	<u>105</u>	Objection <i>Jump Ball Capital's Objection to Disclosure Statement (with Proof of Service attached)</i> (related document(s) <u>97</u> Disclosure Statement, <u>98</u> Chapter 11 Plan, <u>73</u> Disclosure Statement,, <u>59</u> Disclosure Statement,). Filed by Kevin P Hanchett on behalf of Revive Capital. (Attachments: # <u>1</u> Matrix) (Hanchett, Kevin) (Entered: 06/23/2004)
06/23/2004	<u>106</u>	Objection by <i>Unsecured Creditor Committee to Approval of TEN X DST</i> (related document(s) <u>97</u> Disclosure Statement). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Johnson, Charles) (Entered: 06/23/2004)
06/24/2004	<u>107</u>	Response to -- <i>Response Of TEN-X LLC To Objections To Proposed Disclosure Statement</i> (related document(s) <u>105</u> Objection,, <u>97</u> Disclosure Statement, <u>104</u> Objection,, <u>106</u> Objection). Filed by Gayle E Bush on behalf of Joseph Pignataro. (Bush, Gayle) (Entered: 06/24/2004)
06/25/2004	<u>108</u>	Minutes: Hearing on Disclosure Statement (competing plan). Argument presented. The Court approved the disclosure statement with the modifications read on the record. The Court set an estimation of claims hearing for 8-16-04 at 9:30AM, Room 407, Park Place Building, 1200 Sixth Avenue, Seattle, WA. Responses due 8-11-04. The hearing on confirmation of the plans is scheduled for 9/7/2004 at 09:30 AM, U.S. Courthouse, Room 8206, 700 Stewart Street, Seattle, WA. Court Reporter: Shari Ahearn. Appearances:James Day rep. Pignataro; Kvin Hanchett rep. Jumpball Capital; Stuart Kastner rep. debtor and Charles Johnson rep. CC. (related document(s) <u>97</u> , <u>98</u> , <u>99</u>). (Brooks, Janice) (Entered: 06/25/2004)

		07/15/2004)
07/14/2004	● <u>108</u>	U.S. Trustee's Motion to Convert, Dismiss or Set Deadline Filed by Martin L Smith on behalf of US Trustee. (Attachments: # <u>1</u> Proposed Order proposed orders to convert, dismiss, or set deadlines)(Smith, Martin) (Entered: 07/14/2004)
07/14/2004	● <u>109</u>	Notice of Hearing (Related document(s) <u>108</u> US Trustees Motion to Convert Dismiss or Set Deadline). Filed by Martin L Smith on behalf of US Trustee. Scheduled for 8/20/2004 at 09:30 AM at Judge Steiner's Courtroom, U.S. Courthouse, Room 8206. Response due by 8/16/2004. (Smith, Martin) (Entered: 07/14/2004)
07/14/2004	● <u>110</u>	Amended Notice of Hearing (related document(s) <u>108</u> US Trustees Motion to Convert Dismiss or Set Deadline). Filed by Martin L Smith on behalf of US Trustee. Scheduled for 8/13/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. (Smith, Martin) (Entered: 07/14/2004)
07/16/2004	● <u>111</u>	(Report incomplete; atty to refile) Debtor's Monthly Financial Report for the period of <i>May 2004</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) Modified on 7/16/2004 (Atkins, Sharon). (Entered: 07/16/2004)
07/16/2004	● <u>112</u>	(Report incomplete; Atty to refile) Debtor's Monthly Financial Report for the period of <i>April 2004</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) Modified on 7/16/2004 (Atkins, Sharon). (Entered: 07/16/2004)
07/16/2004	● <u>113</u>	Debtor's Monthly Financial Report for the period of <i>April 2004</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 07/16/2004)
07/16/2004	● <u>114</u>	Debtor's Monthly Financial Report for the period of <i>May 2004</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 07/16/2004)
07/16/2004	● <u>115</u>	Debtor's Objection to Claim - <i>Claim Estimation Hearing</i> , Hearing Notice and Certificate of Mailing Objection to Claim Hearing to be held on 8/16/2004 at 09:00 AM at Judge Steiner Courtroom, Room 407, Park Place Building. Response due by 8/11/2004. Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # <u>1</u> Certificate of

		Service, #(2) Proposed Order)(Kastner, Stuart) Additional attachment(s) added on 7/16/2004 (Atkins, Sharon). Modified on 7/16/2004 to add text.(Atkins, Sharon). (Entered: 07/16/2004)
07/16/2004	● <u>116</u>	Response to <i>Estimation Objection - Joinder by Official Unsecured Creditors Committee</i> (related document(s) <u>115</u> Objection to Claim and Notice of Hearing and Certificate of Mailing,,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Johnson, Charles) (Entered: 07/16/2004)
07/16/2004	● <u>117</u>	Objection to Claim of <i>John J. Marble</i> by Official Unsecured Creditors Committee, Hearing Notice and Certificate of Mailing Objection to Claim Hearing to be held on 8/27/2004 at 09:30 AM at Judge Steiner's Courtroom, U.S. Courthouse, Room 8206. Response due by 8/23/2004. Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Attachments: # <u>1</u> Proposed Order Order Sustaining Objection to Marble Claim# <u>2</u> Matrix List ofg Pareties to Whom Notice was Mailed)(Johnson, Charles) (Entered: 07/16/2004)
07/16/2004	● <u>118</u>	BNC Certificate of Service Service Date 07/16/2004. (Related Doc # <u>110</u>) (Admin.) (Entered: 07/16/2004)
07/30/2004	● <u>119</u>	Joinder in <i>Debtor's and Unsecured Creditor's Committee's Objections to Claim of John Marble</i> Filed by Gayle E Bush on behalf of Joseph Pignataro. (related document(s) <u>116</u> Objection to Claim and Notice of Hearing and Certificate of Mailing,, <u>117</u> Objection to Claim and Notice of Hearing and Certificate of Mailing,,). (Bush, Gayle) (Entered: 07/30/2004)
07/30/2004	● <u>120</u>	Motion to Compel <i>John Marble and Brandon Williams</i> to Produce Documents and to Appear for Deposition [attachments: Exhibits A and B] [hearing subject to entry of order shortening time] with Notice of Hearing. Filed by Gayle E Bush on behalf of Joseph Pignataro Scheduled for 8/6/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. (Bush, Gayle) (Entered: 07/30/2004)
07/30/2004	● <u>121</u>	Declaration of Gayle E. Bush [attachment: Exhibit A] (related document(s) <u>120</u> Motion to Compel,). Filed by Gayle E Bush on behalf of Joseph Pignataro. (Bush, Gayle) (Entered: 07/30/2004)
07/30/2004	● <u>122</u>	Affidavit of Service of Subpoena Duces Tecum, Witness Fee Check, and Amended Subpoena Duces Tecum to Brandon Williams (related document(s) <u>120</u> Motion to Compel,). Filed by Gayle E Bush on behalf of Joseph Pignataro. (Bush, Gayle)

		(Entered: 07/30/2004)
07/30/2004	● <u>123</u>	<i>Affidavit of Service of Subpoena Duces Tecum, Witness Fee Check, and Amended Subpoena Duces Tecum to John Marble</i> (related document(s) <u>120</u> Motion to Compel,). Filed by Gayle E Bush on behalf of Joseph Pignataro. (Bush, Gayle) (Entered: 07/30/2004)
08/02/2004	● <u>124</u>	<i>Motion to Shorten Time --Motion For Order Shortening Time.</i> Filed by James L Day on behalf of Joseph Pignataro (Day, James) (Entered: 08/02/2004)
08/02/2004	● <u>125</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature -- <i>Order Shortening Time</i> Filed by James L Day on behalf of Joseph Pignataro. (related document(s) <u>124</u> Motion to Shorten Time, <u>120</u> Motion to Compel,). (Day, James) (Entered: 08/02/2004)
08/02/2004	● <u>126</u>	<i>Notice of Hearing on Motion to Compel</i> (related document(s) <u>124</u> Motion to Shorten Time, <u>120</u> Motion to Compel,). Filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 08/02/2004)
08/02/2004	● <u>127</u>	<i>ORDER Shortening Time for Hearing Re: Motion to Compel</i> Signed on 8/2/2004 (related document(s) <u>124</u> Motion to Shorten Time). Scheduled for 8/6/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. (Atkins, Sharon) (Entered: 08/03/2004)
08/03/2004	● <u>128</u>	<i>Motion to Shorten Time for Hearing on Ten-X's Motion for Order Directing Debtor to Turn Over Formula for Silica Micro-Encapsulation.</i> Filed by Gayle E Bush on behalf of Joseph Pignataro (Bush, Gayle) (Entered: 08/03/2004)
08/03/2004	● <u>129</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature -- <i>Order Shortening Time for Hearing on Ten-X's Motion for Order Directing Debtor to Turn Over Formula for Silica Micro-Encapsulation</i> Filed by Gayle E Bush on behalf of Joseph Pignataro. (related document(s) <u>128</u> Motion to Shorten Time). (Bush, Gayle) (Entered: 08/03/2004)
08/03/2004	● <u>130</u>	<i>Motion for Order Directing Debtor to Turn Over Formula for Silica Micro-Encapsulation [hearing subject to entry of order shortening time filed 8/3/04]</i> with Notice of Hearing. Filed by Gayle E Bush on behalf of Joseph Pignataro Scheduled for 8/6/2004 at 09:30 AM at Judge Steiner Courtroom, Room 407, Park Place Building. (Bush, Gayle) (Entered: 08/03/2004)

08/03/2004	<u>131</u>	Proof of Service of <i>Motion for Order Compelling John Marble and Brandon Williams to Produce Documents and to Appear for Deposition, Declaration of Gayle E. Bush and Notice of Hearing on Same</i> Filed by Gayle E Bush on behalf of Joseph Pignataro. (related document(s) <u>120</u> Motion to Compel., <u>126</u> Hearing Notice, <u>121</u> Declaration). (Bush, Gayle) (Entered: 08/03/2004)
08/03/2004	<u>134</u>	Transcript of Proceedings Dated June 25, 2004 (related document(s) <u>97</u> Disclosure Statement, <u>98</u> Chapter 11 Plan). (Atkins, Sharon) (Entered: 08/04/2004)
08/04/2004	<u>132</u>	Debtor's Objection (related document(s) <u>128</u> Motion to Shorten Time). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 08/04/2004)
08/04/2004	<u>133</u>	Debtor's Proof of Service of <i>Objection</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>128</u> Motion to Shorten Time). (Kastner, Stuart) (Entered: 08/04/2004)
08/05/2004	<u>135</u>	Debtor's Response to (related document(s) <u>130</u> Motion,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 08/05/2004)
08/05/2004	<u>136</u>	<i>Declaration of Stuart Kastner in Support of Debtor's Response</i> (related document(s) <u>130</u> Motion,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 08/05/2004)
08/05/2004	<u>137</u>	<i>Declaration Exhibits to Declaration of Stuart Kastner in Support of Debtor's Response</i> (related document(s) <u>130</u> Motion,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 08/05/2004)
08/06/2004	<u>138</u>	Response to <i>Response of John Marble and Brandon Williams to Motion for Order Compelling Production of Documents and to Appear for Deposition</i> (related document(s) <u>120</u> Motion to Compel,). Filed by Kevin P Hanchett on behalf of John Marble, Brandon Williams. (Attachments: # <u>1</u> Proposed Order) (Hanchett, Kevin) (Entered: 08/06/2004)
08/06/2004	<u>139</u>	<i>Declaration of Brandon Williams in Support of Response to Motion for Order Compelling Production of Documents and to Appear for Deposition</i> (related document(s) <u>120</u> Motion to Compel., <u>138</u> Response,). Filed by Kevin P Hanchett on behalf of John Marble, Brandon Williams. (Hanchett, Kevin) (Entered: 08/06/2004)

08/06/2004	<u>140</u>	<i>Declaration of John Marble in Support of Response to Motion for Order Compelling Production of Documents and to Appear for Deposition</i> (related document(s) <u>120</u> <i>Motion to Compel</i> , <u>138</u> <i>Response</i> , <u>139</u> <i>Declaration</i> ,). Filed by Kevin P Hanchett on behalf of John Marble, Brandon Williams. (Hanchett, Kevin) (Entered: 08/06/2004)
08/06/2004	<u>141</u>	<i>Minutes: Motion to Compel John Marble & Brandon Williams to Produce Documents and to Appear for Deposition; Motion Directing Debtor to Turn Over Formula. Argument presented. The Court ruled that Marble & Williams will be directed to appear for a deposition; parties are to agree on date and time; August 10, 2004 was scheduled in open court. The Court further directed that all data and paperwork relating the claim will be produced; the debtors are not required to produce information as to trade secrets. The estimation of claim hearing is rescheduled 8-31-04 9:30AM. Court Reporter: Shari Ahearn. Appearances: Stuart Kastner rep. debtor; Kevin Hanchett rep. Williams & Marble, et al; Charlie Johnson rep. CC; Gayle Bush & Jim Day rep. Pignataro.</i> (related document(s) <u>130</u> , <u>120</u>). (Brooks, Janice) (Entered: 08/08/2004)
08/06/2004	<u>143</u>	<i>ORDER Approving First Amended Disclosure Statement of Joseph Pignataro and Ten-X LLC Signed on 8/6/2004</i> (related document(s) <u>97</u> <i>Disclosure Statement</i> , <u>73</u> <i>Disclosure Statement</i> ,). Confirmation hearing to be held on 9/7/2004 at 09:30 AM at Judge Steiner's Courtroom, U.S. Courthouse, Room 8206. Ballots or Objections due by 8/30/2004, (Atkins, Sharon) (Entered: 08/09/2004)
08/09/2004	<u>141</u>	<i>Response to US Trustee's Motion To Convert Or Dismiss, Or Set Deadlines</i> (related document(s) <u>108</u> <i>US Trustees Motion to Convert Dismiss or Set Deadline</i>). Filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 08/09/2004)
08/09/2004	<u>142</u>	<i>Debtor's Response to Motion to Convert</i> (related document(s) <u>108</u> <i>US Trustees Motion to Convert Dismiss or Set Deadline</i>). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 08/09/2004)
08/10/2004	<u>144</u>	<i>Debtor's Notice of Amended/Continued Hearing On Objection to Claims-Claim Estimation Hearing</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. Continued Hearing Scheduled for 8/31/2004 at 09:30 AM at Judge Steiner's Courtroom, U.S. Courthouse, Room 8206 Response due by 8/11/2004. (Kastner, Stuart) (Entered: 08/10/2004)

08/10/2004	145	Debtor's Monthly Financial Report for the period of <i>June 2004</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 08/10/2004)
08/10/2004	146	Debtor's Proof of Service Amended Notice of Hearing on Objection to Claims-Claim Estimation Hearing Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (related document <u>144</u> Amended Notice of Hearing) Modified on 8/11/2004 to add related document. (Atkins, Sharon). (Entered: 08/10/2004)
08/11/2004	147	Response to <i>Claim Estimations by Anderson and Ackermann</i> (related document(s) <u>144</u> Notice of Amended or Continued Hearing,, <u>115</u> Objection to Claim and Notice of Hearing and Certificate of Mailing,,). Filed by Timothy W Dore on behalf of Henry Ackerman, William Anderson. (Attachments: # <u>1</u> Exhibit A "Judgment for Plaintiff Anderson") (Dore, Timothy) (Entered: 08/11/2004)
08/11/2004	148	Amended Disclosure Statement -- <i>First Amended Disclosure Statement Of Joseph Pignataro And TEN-X LLC</i> (related document(s) <u>97</u> Disclosure Statement, <u>143</u> Order Approving Disclosure Statement,). filed by James L Day on behalf of Joseph Pignataro. (Attachments: # <u>1</u> Exhibits)(Day, James) (Entered: 08/11/2004)
08/11/2004	149	Amended Chapter 11 Plan -- <i>First Amended Plan Of Reorganization Of TEN-X LLC</i> (related document(s) <u>97</u> Disclosure Statement, <u>98</u> Chapter 11 Plan, <u>148</u> Disclosure Statement,, <u>143</u> Order Approving Disclosure Statement,). filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 08/11/2004)
08/11/2004	150	Notice of Hearing On <i>Confirmation Of Competing Plans Of Reorganization</i> (related document(s) <u>149</u> Chapter 11 Plan,, <u>97</u> Disclosure Statement, <u>98</u> Chapter 11 Plan, <u>148</u> Disclosure Statement,, <u>143</u> Order Approving Disclosure Statement,). Filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 08/11/2004)
08/11/2004	151	Debtor's Proof of Service Amended Notice of Hearing on Objection to Claims-Claim Estimation Hearing on <i>James E. O'Donnell</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>144</u> Notice of Amended or Continued Hearing,). (Kastner, Stuart) (Entered: 08/11/2004)

08/11/2004	<u>152</u>	Declaration of James E O'Donnell Responding to Objection to Claim (related document(s) <u>115</u> Objection to Claim and Notice of Hearing and Certificate of Mailing, ,). Filed by James E O'Donnell on behalf of Gary Sala . (Atkins, Sharon) (Entered: 08/12/2004)
08/11/2004	<u>153</u>	Response of Creditor Gary Sala Responding to Objection to Claim (related document(s) <u>115</u> Objection to Claim and Notice of Hearing and Certificate of Mailing, ,). Filed by James E O'Donnell on behalf of Gary Sala . (Atkins, Sharon) Modified on 8/12/2004 to correct text.(Atkins, Sharon). (Entered: 08/12/2004)
08/11/2004	<u>154</u>	Declaration of Creditor Gary Sala Responding to Objection to Claim (related document(s) <u>115</u> Objection to Claim and Notice of Hearing and Certificate of Mailing, ,). Filed by James E O'Donnell on behalf of Gary Sala . (Atkins, Sharon) (Entered: 08/12/2004)
08/12/2004	<u>155</u>	(Docketed in Error) Ballot Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee . (related document(s) <u>149</u> Chapter 11 Plan,, <u>148</u> Disclosure Statement,). (Atkins, Sharon) Modified on 8/13/2004 (Atkins, Sharon). Additional attachment(s) added on 8/13/2004 (Atkins, Sharon). (Entered: 08/12/2004)
08/12/2004	<u>156</u>	Notice of Appearance <i>and Request for Copies</i> Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC. (Hanchett, Kevin) (Entered: 08/12/2004)
08/12/2004	<u>157</u>	Ex Parte Application for FRBP 2004 Examination of <i>Joseph Pignataro</i> . Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC, John Marble (Hanchett, Kevin) (Entered: 08/12/2004)
08/12/2004	<u>158</u>	Unsigned Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature <i>Ex Parte Order Authorizing FRBP 2004 Examination of Joseph Pignataro</i> Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC, John Marble. (related document(s) <u>157</u> Application for FRBP 2004 Examination). (Hanchett, Kevin) (Entered: 08/12/2004)
08/13/2004	<u>159</u>	Amendment to <i>Mailing Matrix- Deletion of Creditors</i> Filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 08/13/2004)
08/13/2004	<u>160</u>	Minutes: Motion to Convert, Dismiss or Set Deadlines (UST). Motion withdrawn; hearing stricken. (related document(s) <u>108</u>). (Brooks, Janice) (Entered: 08/16/2004)

08/16/2004	<u>160</u>	Debtor's Disclosure Statement <i>First Amended</i> filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Kastner, Stuart) (Entered: 08/16/2004)
08/16/2004	<u>161</u>	Proof of Service Filed by James L Day on behalf of Joseph Pignataro. (related document(s) <u>149</u> Chapter 11 Plan,, <u>150</u> Hearing Notice,, <u>160</u> Disclosure Statement, <u>148</u> Disclosure Statement,). (Day, James) (Entered: 08/16/2004)
08/16/2004	<u>162</u>	Docketed in Error ExParte ORDER Authorizing the Examination of Joseph Pignataro (Related Doc # <u>157</u>) Signed on 8/16/2004. (Atkins, Sharon) Additional attachment(s) added on 8/26/2004 (Redmond, Danny). Modified on 8/26/2004 Pdf Redocketed as lodged order (Redmond, Danny). (Entered: 08/17/2004)
08/16/2004	<u>163</u>	Minute Entry: Hearing on Estimation of Claims is continued to 8-31-04 at 9:30AM. (related document(s) <u>97</u>). (Brooks, Janice) (Entered: 08/17/2004)
08/16/2004	<u>167</u>	Lodged ORDER (related document(s) <u>157</u> Application for FRBP 2004 Examination). (Redmond, Danny) (Entered: 08/26/2004)
08/24/2004	<u>163</u>	Letter To: Judge from Carol Petersen of Klean Earth Enviornmental Co. (Atkins, Sharon) (Entered: 08/24/2004)
08/25/2004	<u>164</u>	Creditor John Marble's Brief In Support of Estimation Of His Claim For Voting Purpose (related document(s) <u>149</u> Chapter 11 Plan,). Filed by Kevin P Hanchett on behalf of John Marble . (Redmond, Danny) (Entered: 08/25/2004)
08/25/2004	<u>165</u>	Declaration Of Nadine R Weiskopf In Support Of Creditor John Marble's Brief (related document(s) <u>164</u> Statement). Filed by Kevin P Hanchett on behalf of John Marble . (Redmond, Danny) (Entered: 08/25/2004)
08/25/2004	<u>166</u>	Proof of Service Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>150</u> Hearing Notice,). (Kastner, Stuart) (Entered: 08/25/2004)
08/26/2004	<u>168</u>	Amendment and Revised Position Statement on Competing Plans of the Debtor and Ten-X-by Official Unsecured Creditor's Committee Filed by Unsecured Creditors Committee . (Cacho, Renato) (Entered: 08/26/2004)
08/27/2004	<u>169</u>	Objection To Proposed Estimation Of John Marble's Claim

		(related document(s) <u>164</u> Statement, <u>115</u> Objection to Claim and Notice of Hearing and Certificate of Mailing,,). Filed by James L Day on behalf of Joseph Pignataro. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B) (Day, James) (Entered: 08/27/2004)
08/27/2004	● <u>170</u>	Proof of Service <i>On Objection To Proposed Estimation Of John Marble's Claim</i> Filed by James L Day on behalf of Joseph Pignataro. (related document(s) <u>169</u> Objection,). (Day, James) (Entered: 08/27/2004)
08/27/2004	●	Minutes: Objection to Claim of John J. Marble by Official Unsecured Creditor's Committee. Hearing continued to 8/31/2004 at 09:30 AM, U.S. Courthouse, Room 8206, 700 Stewart Street, Seattle, WA. (related document(s) <u>117</u>). (Brooks, Janice) (Entered: 08/31/2004)
08/30/2004	● <u>171</u>	Objection to Debtor's Amended Plan by Official Unsecured Creditor's Committee (related document(s) <u>97</u> Disclosure Statement, <u>98</u> Chapter 11 Plan, <u>73</u> Disclosure Statement,, <u>59</u> Disclosure Statement,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Johnson, Charles) (Entered: 08/30/2004)
08/30/2004	● <u>172</u>	Proof of Service of Committee's Objection to Debtor's Plan Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (related document(s) <u>73</u> Disclosure Statement,, <u>149</u> Chapter 11 Plan,, <u>59</u> Disclosure Statement,, <u>160</u> Disclosure Statement). (Johnson, Charles) (Entered: 08/30/2004)
08/30/2004	● <u>173</u>	Notice of Transfer of Claim. Transferor: Alvin Babchuck Transferee: Jump Ball Capital, LLC Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC. (Attachments: # <u>1</u> Exhibit Assignment Agreement)(Hanchett, Kevin) (Entered: 08/30/2004)
08/30/2004	● <u>174</u>	Notice of Transfer of Claim. Transferor: Paul Pedersen Transferee: Jump Ball Capital, LLC Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC. (Attachments: # <u>1</u> Exhibit Assignment Agreement)(Hanchett, Kevin) (Entered: 08/30/2004)
08/30/2004	● <u>175</u>	Notice of Transfer of Claim. Transferor: Marcee Cameron Transferee: Jump Ball Capital, LLC Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC. (Attachments: # <u>1</u> Exhibit Assignment Agreement)(Hanchett, Kevin) (Entered: 08/30/2004)
08/30/2004	● <u>176</u>	Objection to Confirmation of Plan of Reorganization Proposed

		by Joseph Pignataro and Ten-X, LLC (related document(s) <u>149</u> Chapter 11 Plan,). Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC. (Attachments: # <u>1</u> Exhibit Excerpt of Deposition Transcript - Deposition of Patrick McCourt taken August 26, 2004) (Hanchett, Kevin) (Entered: 08/30/2004)
08/30/2004	● <u>177</u>	Objection To Debtor's Proposed Plan Of Reorganization (related document(s) <u>160</u> Disclosure Statement). Filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 08/30/2004)
08/31/2004	● <u>178</u>	Debtor's Joinder in <i>Objection to Confirmation of Ten-X Plan</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>176</u> Objection,). (Kastner, Stuart) (Entered: 08/31/2004)
08/31/2004	● <u>179</u>	Objection to Confirmation of Debtor's Plan by Henry Ackermann and William Anderson (related document(s) <u>149</u> Chapter 11 Plan,, <u>176</u> Objection,). Filed by Timothy W Dore on behalf of Henry Ackerman, William Anderson. (Dore, Timothy) (Entered: 08/31/2004)
08/31/2004	●	Minutes: Objection to Claim of John J. Marble by the Unsecured Creditor's Committee. Hearing continued to 10/1/2004 at 09:30 AM, U.S. Courthouse, Room 8206, 700 Stewart Street, Seattle, WA. Court Reporter: Shari Ahearn. Appearances: Charles Johnson rep. CC. (related document(s) <u>117</u>). (Brooks, Janice) (Entered: 09/08/2004)
08/31/2004	●	Minutes: Hearing on Estimation of Claims. No response was filed to the claims of Edwin Miyata and Interacticon. The Miyata claim is determined at \$36,148.14 and Interacticon at \$1000.00. Argument heard on the claims of Anderson and Ackerman. The Court ruled that the claim of William Anderson will be estimated at \$80,000 and the Henry Ackerman claim at \$51,000; the Court will not determine any punitive damage at this estimation hearing. Argument presented on the claim of Gary Sala and the Court estimated this claim at \$1000.00 and that will be without prejudice. Jimmy Turner Andrews & Brandon Williams were sworn & testified; and argument presented as to the claim of John Marble. The Court concluded that Marble and Williams are insiders and the claim will be treated as an insider claim and valued at \$1,000,000.00 for voting purposes, without prejudice. Mr. Bush is to prepare the order on the Marble claim. Court Reporter: Shari Ahearn. Appearances: Stewart Kastner rep. debtor; Kevin Hanchett rep. Marble & Jumpball Capital LLC; Gayle Bush rep. Ten-X LLC; Charles Johnson rep. CC; Tim Dore rep. Anderson & Ackerman and James E. O'Donnell rep. Sala. (Brooks, Janice)

		Modified on 9/23/2004 (Brooks, Janice). (Entered: 09/08/2004)
09/02/2004	<u>180</u>	Debtor's Chapter 11 Pre-Confirmation Report Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 09/02/2004)
09/03/2004	<u>181</u>	Response to Jump Ball Capital LLC's Joinder in Debtor's Response to Objections, and Response to Objections to Debtor's Proposed Plan of Reorganization (related document(s) <u>179</u> Objection, <u>171</u> Objection,, <u>176</u> Objection,, <u>177</u> Objection). Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC, John Marble. (Hanchett, Kevin) (Entered: 09/03/2004)
09/03/2004	<u>182</u>	Application for Compensation by Committee's Counsel - Interim No. 2, with Notice of Hearing. Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee Scheduled for 10/1/2004 at 09:30 AM at Judge Steiner's Courtroom, U.S. Courthouse, Room 8206. Response due by 9/27/2004. (Attachments: # <u>1</u> Proposed Order Allowing Fees to Committee's Attorney) (Johnson, Charles) (Entered: 09/03/2004)
09/03/2004	<u>183</u>	Declaration of Charles A. Johnson, Jr. in Support of Interim Fee App. No. 2 (related document(s) <u>182</u> Application for Compensation,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Johnson, Charles) (Entered: 09/03/2004)
09/03/2004	<u>184</u>	Notice of Hearing on Approval of Interim Fee Application No. 2 by Commtee's Counsel (related document(s) <u>182</u> Application for Compensation,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Johnson, Charles) (Entered: 09/03/2004)
09/03/2004	<u>185</u>	Proof of Service of Notice of Hearing on Interim Fee Application No. 2 by Committee's Attorney Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (related document(s) <u>182</u> Application for Compensation,). (Johnson, Charles) (Entered: 09/03/2004)
09/03/2004	<u>187</u>	Affidavit of Service to Patrick McCourt Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company . (Atkins, Sharon) (Entered: 09/08/2004)
09/07/2004	<u>186</u>	Ballot Summary and Preconfirmation Report Regarding Proposed Plan Of Reorganization Of Joseph Pignataro And Ten-X LLC Chapter 11 Pre-Confirmation Report Filed by James L Day on behalf of Joseph Pignataro. (Attachments: # <u>1</u>

		Exhibit A# 2 Exhibit B) (Day, James) (Entered: 09/07/2004)
09/07/2004	● <u>188</u>	Declaration of Charles A Johnson Jr in Support of Application No.2 allowing Attorney Fees and Costs as Administrative Expenses (related document(s) <u>182</u> Application for Compensation,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee . (Atkins, Sharon) (Entered: 09/08/2004)
09/07/2004	●	Minutes: Hearing on Confirmation of Competing Plans (Debtor) & (Ten-X LLC). An oral motion requesting that the Court reconsider its decision of 8-31-04 that creditor John Marble is an insider. Argument presented. The motion was denied. The Court further ruled that creditor Jump Ball Capital LLC is also an insider and that the debtor's plan could not be confirmed because under section 1129(a)(10) of the Code no impaired class of claims had accepted that plan, excluding the votes of insiders. The Court concluded that the plan filed by Ten-X LLC was confirmable under section 1129 as to voting requirements. The Court proceeded to hear evidence on the other requirements for confirmation, particularly feasibility. Philip Carter, Patrick McCourt and William Anderson were sworn & testified. The hearing was continued to 9-8-04 9:30AM. Court Reporter: Shari Ahearn. Appearances: Stuart Kastner rep. debtor; Kevin Hanchett rep. John Marble & Jump Ball Capital LLC; Gayle Bush, Jim Day and Christine Tobin rep. Ten-X LLC; Charles Johnson rep. Creditor's Committee; Tim Dore & Rick Lantini rep. Anderson & Ackerman. (related document(s) <u>149</u> , <u>97</u> , <u>98</u> , <u>150</u> , <u>85</u> , <u>148</u> , <u>143</u>). (Brooks, Janice) (Entered: 09/28/2004)
09/08/2004	●	Minutes: Cont'd Hearing on Confirmation of Plan (Ten-X LLC). Jimmy Andrews sworn & testified. Exhibit 1 admitted into evidence. Final argument was presented. The Court ruled that Ten-X LLC has met all confirmation requirements of section 1129 and the plan is confirmed. The Court further ruled that the order shall include language directing that the unsecured creditors must be paid in full before any payments to shareholders under the plan and additional language directing the turnover of the three formulas and its process to the reorganized debtor. Presentation of the Order is sheduled for 9-17-04 11:00AM, U.S. Courthouse, Room 8206, 700 Stewart Street, Seattle, WA. A transcript of the Court's oral ruling shall be prepared for inclusion into the record. Court Reporter: Robyn Fiedler. Appearances: Gayle Bush & Jim Day for Ten-X LLC; Stuart Kastner rep. Klean Earth; Charles Johnson rep. CC; Rick Lantini rep. Ackerman & Anderson and Kevin Hanchett rep. Marble and Jump Ball Capital. (related document(s) <u>149</u> , <u>98</u> , <u>160</u> , <u>143</u>). (Brooks, Janice) (Entered: 09/28/2004)

09/09/2004	<u>189</u>	Debtor's Motion to Shorten Time <i>for Hearing on its Final application for Fees and Expenses</i> . Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company (Kastner, Stuart) (Entered: 09/09/2004)
09/09/2004	<u>190</u>	Debtor's Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature <i>Hearing on Final Fee Application</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>189</u> Motion to Shorten Time). (Kastner, Stuart) (Entered: 09/09/2004)
09/09/2004	<u>191</u>	Debtor's Application for Compensation. with Notice of Hearing. Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company Scheduled for 10/1/2004 at 09:30 AM at Judge Steiner's Courtroom, U.S. Courthouse, Room 8206. Response due by 9/27/2004. (Attachments: # <u>1</u> Proposed Order) (Kastner, Stuart) (Entered: 09/09/2004)
09/09/2004	<u>192</u>	Debtor's Notice of Hearing <i>on Application for Final Compensation</i> (related document(s) <u>191</u> Application for Compensation,). Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (Kastner, Stuart) (Entered: 09/09/2004)
09/10/2004	<u>193</u>	Debtor's Proof of Service <i>of Notice of hearing on Application for Final Compensation</i> Filed by Stuart P Kastner on behalf of Klean Earth Environmental Company. (related document(s) <u>191</u> Application for Compensation,, <u>192</u> Hearing Notice). (Kastner, Stuart) (Entered: 09/10/2004)
09/10/2004	<u>194</u>	Declaration of Charles A. Johnson, Jr. <i>re Amended Proposed Order Allowing Fees</i> (related document(s) <u>192</u> Application for Compensation,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Attachments: # <u>1</u> Proposed Order Amended Proposed Order) (Johnson, Charles) (Entered: 09/10/2004)
09/13/2004	<u>195</u>	ORDER Shortening Time for Hearing Re: Final Fee Application Signed on 9/13/2004 (related document(s) <u>191</u> Application for Compensation,). Scheduled for 10/1/2004 at 09:30 AM at Judge Steiner's Courtroom, U.S. Courthouse, Room 8206. (Atkins, Sharon) (Entered: 09/13/2004)
09/14/2004	<u>196</u>	Request for Special Notice <i>and Notice of Appearance</i> Filed by Virginia A Burdette. (Park, Yoon) (Entered: 09/14/2004)
09/14/2004	<u>197</u>	Proof of Service (<i>Declaration of Mailing</i>) Filed by Virginia A Burdette. (related document(s) <u>196</u> Request for Special

		Notice). (Park, Yoon) (Entered: 09/14/2004)
09/14/2004	<u>198</u>	Transcript of Ruling Dated Tuesday, August 31, 2004 (related document(s) Minute Hearing). (Atkins, Sharon) (Entered: 09/15/2004)
09/14/2004	<u>199</u>	Transcript of Ruling Dated Tuesday, September 7, 2004. (Atkins, Sharon) (Entered: 09/15/2004)
09/16/2004	<u>200</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature -- <i>Order Estimating Marble Claim For Voting Purposes And Determining Marble And Williams To Be Insiders</i> Filed by James L Day on behalf of Joseph Pignataro. (related document(s) <u>115</u> Objection to Claim and Notice of Hearing and Certificate of Mailing,, <u>116</u> Response,, <u>117</u> Objection to Claim and Notice of Hearing and Certificate of Mailing,,). (Day, James) (Entered: 09/16/2004)
09/16/2004	<u>201</u>	ORDER Estimating Marble Claim for Voting Purposes and Determining Marble and Williams to be Insiders Signed on 9/16/2004 (related document(s) <u>115</u> Objection to Claim and Notice of Hearing and Certificate of Mailing, , <u>116</u> Response,, <u>117</u> Objection to Claim and Notice of Hearing and Certificate of Mailing, ,). (Atkins, Sharon) (Entered: 09/16/2004)
09/16/2004		TEN-X LLC rep by Gayle E Bush added to case . (Schiro, Tony) (Entered: 09/16/2004)
09/16/2004	<u>202</u>	Complaint against John Marble (AP #04-01429). Filed by Stuart P Kastner , Charles A Johnson Jr, Gayle E Bush on behalf of Klean Earth Environmental Company , Unsecured Creditors Committee , TEN-X LLC . (Attachments: # <u>1</u> Objection to Claim by Creditors Committee# <u>2</u> Joinder by TEN-X) Nature of Suit: 435 (Validity/Priority/Extent Lien) (Schiro, Tony) Modified on 9/16/2004 to add AP # (Schiro, Tony). (Entered: 09/16/2004)
09/17/2004	<u>203</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature -- <i>Order Confirming First Amended Plan Of Reorganization Of Joseph Pignataro And Ten-X LLC</i> Filed by James L Day on behalf of Joseph Pignataro. (related document(s) <u>149</u> Chapter 11 Plan,). (Day, James) (Entered: 09/17/2004)
09/17/2004	<u>204</u>	Amended Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature <i>Amended Order Confirming First Amended Plan Of Reorganization Of Joseph Pignataro And Ten X LLC</i> Filed by Gayle E Bush on behalf of Joseph Pignataro. (related document(s) <u>149</u> Chapter 11 Plan,). (Bush,


		Gayle) (Entered: 09/17/2004)
09/17/2004	●	Minutes: Presentation of Order Confirming Plan (Ten-X LLC). Argument presented. The Court will review both proposed orders and the transcript of the Court's oral ruling. This hearing is continued to 9/23/2004 at 01:30 PM, U.S. Courthouse, Room 8206, 700 Stewart Street, Seattle, WA. Court Reporter: Shari Ahearn. Appearances: Stuart Kastner rep. debtor; Kevin Hanchett rep. Jumpball, Gayle Bush rep. Ten-X LLC and Charles Johnson rep. creditors committee. (related document(s) <u>150</u>). (Brooks, Janice) (Entered: 09/20/2004)
09/20/2004	● <u>205</u>	Request for Special Notice <i>Pursuant to FRBP 2002</i> Filed by Denice E Moewes on behalf of Virginia A Burdette. (Moewes, Denice) (Entered: 09/20/2004)
09/20/2004	● <u>206</u>	Proof of Service <i>re: Notice of Appearance and Request for Special Notice and Declaration of Mailing</i> Filed by Denice E Moewes on behalf of Virginia A Burdette. (related document(s) <u>205</u> Request for Special Notice). (Moewes, Denice) (Entered: 09/20/2004)
09/20/2004	● <u>207</u>	Notice of Appeal (04-033) Fee Due \$ 255 (related document(s) <u>201</u> Order GENERIC,). filed by Kevin P Hanchett on behalf of John Marble, Brandon Williams. Record Transmission due by 10/12/2004, (Attachments: # <u>1</u> Exhibit Order Estimating Marble Claim For Voting Purposes and Determining Marble and Williams To Be Insiders# <u>2</u> Exhibit Transcript of Ruling by the Honorable Samuel J. Steiner, Tuesday, September 7, 2004)(Hanchett, Kevin) Modified on 9/21/2004 (Isreal, Sandra). (Entered: 09/20/2004)
09/20/2004		Receipt of filing fee for Notice of Appeal(03-26025-SJS) [appeal,97t2] (255.00). Receipt number 0981B3432773. Fee amount \$ 255.00. (U.S. Treasury) (Entered: 09/20/2004)
09/20/2004	● <u>208</u>	Proof of Service of <i>Notice of Appeal</i> Filed by Kevin P Hanchett on behalf of John Marble, Brandon Williams. (related document(s) <u>207</u> Notice of Appeal,). (Hanchett, Kevin) (Entered: 09/20/2004)
09/20/2004	● <u>213</u>	Transcript of September 8, 2004 . (Attachments: # <u>1</u> Transcript1) (Cacho, Renato) (Entered: 09/21/2004)
09/21/2004	● <u>209</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature -- <i>Order Confirming First Amended Plan Of Reorganization Of Joseph Pignataro And Ten X LLC</i> Filed by James L Day on behalf of Joseph Pignataro. (related document(s) <u>149</u> Chapter 11 Plan,). (Day, James) (Entered: 09/21/2004)

		09/21/2004)
09/21/2004	210	Notice of Referral of Appeal to Bankruptcy Appellate Panel, Combined with Service of Notice of Appeal # 04-033 (related document(s) <u>207</u> Notice of Appeal,). (Isreal, Sandra) (Entered: 09/21/2004)
09/21/2004	211	Declaration of <i>Charles A. Johnson, Jr. re Proposed Changes to Confirmation Order</i> (related document(s) <u>150</u> Hearing Notice,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Attachments: # <u>1</u> Proposed Order Page 6 Excerpt) (Johnson, Charles) (Entered: 09/21/2004)
09/21/2004	212	Declaration of <i>Kevin Hanchett in Support of Alternative Language in Confirmation Order</i> (related document <u>150</u> Hearing Notice). Filed by Kevin P Hanchett on behalf of John Marble, Brandon Williams. (Hanchett, Kevin) Modified on 9/22/2004 to correct reference to related document (Schiro, Tony). (Entered: 09/21/2004)
09/22/2004	214	Response to – <i>Response Of Pignataro And Ten-X LLC In Support Of Proposed Order Confirming Plan</i> (related document <u>150</u>). Filed by James L Day on behalf of Joseph Pignataro. (Day, James) Modified on 9/23/2004 to correct reference to related document (Schiro, Tony). (Entered: 09/22/2004)
09/23/2004	215	Notice of <i>CORRECTED Notice of Appeal to attach transcript of ruling on August 31, 2004, rather than transcript of ruling on September 7, 2004</i> (related document(s) <u>207</u> Notice of Appeal,). Filed by Kevin P Hanchett on behalf of John Marble, Brandon Williams. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Hanchett, Kevin) (Entered: 09/23/2004)
09/23/2004	216	Proof of Service of <i>CORRECTED Notice of Appeal</i> Filed by Kevin P Hanchett on behalf of John Marble, Brandon Williams. (related document(s) <u>215</u> Generic Notice,, <u>207</u> Notice of Appeal,). (Hanchett, Kevin) (Entered: 09/23/2004)
09/23/2004	217	ORDER Confirming First Amended Plan of Reorganization of Joseph Pignataro and Ten-X LLC Signed on 9/23/2004 (related document <u>149</u> Chapter 11 Plan,). (Schiro, Tony) (Entered: 09/23/2004)
09/23/2004	218	Notice of Entry of Confirmation of Plan (related document <u>217</u> Order Confirming Chapter 11 Plan). (Schiro, Tony) (Entered: 09/23/2004)
09/23/2004		Minutes: Cont'd Presentation of Order Confirming Plan (Ten-X

		LLC). Argument presented. The Court approved and signed the order presented by Ten-X LLC. Court Reporter: Shari Ahearn. Appearances: Jim Day rep. Ten-X LLC; Stuart Kastner rep. debtor; Kevin Hanchett rep. Marble & Jumpball and Charles Johnson rep. CC. (related document(s) <u>150</u>). (Brooks, Janice) (Entered: 10/13/2004)
09/24/2004	● <u>219</u>	Election to have Appeal heard by US District Court under 28 USC 158(c)(1) -- <i>Election To Have Appeal Heard By District Court Instead Of Bankruptcy Appellate Panel</i> (related document(s) <u>215</u> Generic Notice,, <u>207</u> Notice of Appeal,). filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 09/24/2004)
09/24/2004		Miscellaneous Flag: Check for court costs Ch 11 . Due Date 9/27/2004. (Schiro, Tony) (Entered: 09/24/2004)
09/25/2004	● <u>220</u>	BNC Certificate of Service (related document(s) <u>218</u> Notice of Entry of Confirmation of Plan). Service Date 09/25/2004. (Admin.) (Entered: 09/25/2004)
09/27/2004	●	Statement of Administrative Expenses: No costs due . (Schiro, Tony) (Entered: 09/27/2004)
09/28/2004	● <u>221</u>	Transcript of August 31, 2004. (Attachments: # <u>1</u> Trans1# <u>2</u> Trans2# <u>3</u> Trans3# <u>4</u> Trans4# <u>5</u> Trans5# <u>6</u> Trans6# <u>7</u> Trans7) (Cacho, Renato) (Entered: 09/28/2004)
09/28/2004	● <u>222</u>	Transcript of September 7, 2004. (Attachments: # <u>1</u> Trans1# <u>2</u> Trans2# <u>3</u> Trans3# <u>4</u> Trans4# <u>5</u> Trans5) (Cacho, Renato) (Entered: 09/28/2004)
09/29/2004	● <u>223</u>	Appellant Designation of Contents For Inclusion in Record On Appeal # 04-033, Statement of Issues on Appeal # 04-033 (related document(s) <u>215</u> Generic Notice,, <u>207</u> Notice of Appeal,). filed by Kevin P Hanchett on behalf of John Marble, Brandon Williams. (Hanchett, Kevin) (Entered: 09/29/2004)
09/29/2004	● <u>224</u>	Supplemental Declaration of Charles A. Johnson, Jr. in Support of Final Fees (related document(s) <u>182</u> Application for Compensation,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee. (Johnson, Charles) (Entered: 09/29/2004)
09/29/2004	● <u>225</u>	Received UNSIGNED Order. Forwarded to Chambers for Judge's Signature <i>Amended Order Allowing Final Fees To Attorney For Official Unsecured Creditors Committee</i> Filed by Charles A Johnson Jr on behalf of Unsecured Creditors

		Committee. (related document(s) <u>182</u> Application for Compensation,). (Johnson, Charles) (Entered: 09/29/2004)
09/30/2004	<u>226</u>	Supplemental Transmittal and Certificate of Mailing to BAP; APE # 04-033 (related documents <u>219</u> Election for Appeal to USDC, <u>207</u> Notice of Appeal). (Schiro, Tony) (Entered: 09/30/2004)
10/01/2004	<u>227</u>	Supplemental Declaration of Charles A Johnson Jr In Support of Final Application Allowing Attorney Fees and Costs as Administrative Expenses (related document(s) <u>182</u> Application for Compensation,). Filed by Charles A Johnson Jr on behalf of Unsecured Creditors Committee . (Cacho, Renato) (Entered: 10/01/2004)
10/01/2004	<u>228</u>	Amended ORDER Allowing Final Fees to Attorney for Official Unsecured Creditors Committee for Charles A Johnson, Special Counsel Fees awarded: \$31479.00, Expenses awarded: \$81.76; Signed on 10/1/2004 (related document(s) <u>182</u> Application for Compensation,). (Cacho, Renato) (Entered: 10/01/2004)
10/01/2004	<u>229</u>	ORDER Approving Application for Final Compensation for Montgomery Purdue Blankinship & Austin, Debtor's Attorney, Fees awarded: \$46620.00, Expenses awarded: \$2161.14; Signed on 10/1/2004 (related document(s) <u>191</u> Application for Compensation,). (Cacho, Renato) (Entered: 10/01/2004)
10/01/2004	<u>230</u>	Motion to Reconsider <i>Jump Ball Capital LLC and John Marble's Motion for Reconsideration</i> . Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC, John Marble (Hanchett, Kevin) (Entered: 10/01/2004)
10/01/2004	<u>231</u>	Declaration of <i>Brandon Williams in Support of Jump Ball Capital LLC and John Marble's Motion for Reconsideration</i> (related document(s) <u>230</u> Motion to Reconsider). Filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC, John Marble. (Hanchett, Kevin) (Entered: 10/01/2004)
10/01/2004		Minutes: Cont'd Objection to Claim of John J. Marble by Official Unsecured Creditors Committee. Matter has been converted to an adversary proceeding A04-01429; this hearing is stricken. Court Reporter: Shari Ahearn. Appearances: Charles Johnson rep. CC. (related document(s) <u>117</u>). (Brooks, Janice) (Entered: 10/13/2004)
10/01/2004		Minutes: Application for Interim Compensation (Charles Johnson for Creditors Committee). No objections; application approved and order signed. Court Reporter: Shari Ahearn.

		Appearances: Charles Johnson sworn & testified. (related document(s) <u>182</u>). (Brooks, Janice) (Entered: 10/13/2004)
10/01/2004	●	Minutes: Debtor's Final Application for Compensation (Stuart P. Kastner). No objections; application approved and order signed. Court Reporter: Shari Ahearn. Appearances: Stuart Kastner, sworn & testified. (related document(s) <u>189</u> , <u>191</u>). (Brooks, Janice) (Entered: 10/13/2004)
10/04/2004	● <u>232</u>	Response to -- <i>Response of TEN-X LLC to Jump Ball Capital LLC and John Marble's Motion For Reconsideration</i> (related document(s) <u>230</u> Motion to Reconsider). Filed by James L Day on behalf of Joseph Pignataro. (Day, James) (Entered: 10/04/2004)
10/05/2004		Pending Deadlines Terminated . (Schiro, Tony) (Entered: 10/05/2004)
10/06/2004	● <u>233</u>	Appellee Designation of Contents for Inclusion in Record of Appeal. filed by Christine M Tobin on behalf of Joseph Pignataro, Ten-X LLC. (Tobin, Christine) (Entered: 10/06/2004)
10/06/2004	● <u>234</u>	Letter To Court re: Removal of Ms Tatyana Gidirimski, Short Cressman & Burgess PLLC from the Mailing Matrix and Special Notices filed by Frank Austin. (Cacho, Renato) (Entered: 10/06/2004)
10/06/2004	● <u>235</u>	ORDER Denying Motion for Reconsideration (Related Doc # <u>230</u>) Signed on 10/6/2004. (Cacho, Renato) (Entered: 10/06/2004)
10/11/2004	● <u>236</u>	Notice of Appeal #04-039 Fee Due \$ 255 (related document(s) <u>235</u> Order Re Motion to Reconsider). filed by Kevin P Hanchett on behalf of Jump Ball Capital, LLC, John Marble. Record Transmission due by 11/1/2004, (Hanchett, Kevin) Modified on 10/13/2004 (Isreal, Sandra). Additional attachment(s) added on 10/13/2004 (Isreal, Sandra). (Entered: 10/11/2004)
10/11/2004		Receipt of filing fee for Notice of Appeal(03-26025-SJS) [appeal,97t2] (255.00). Receipt number 0981B3494954. Fee amount \$ 255.00. (U.S. Treasury) (Entered: 10/11/2004)
10/12/2004	● <u>237</u>	Election to have Appeal heard by US District Court under 28 USC 158(c)(1) -- <i>Election To Have Appeal Heard By District Court Instead Of Bankruptcy Appellate Panel</i> (related document(s) <u>236</u> Notice of Appeal). filed by James L Day on

		behalf of Joseph Pignataro, Ten-X LLC. (Day, James) (Entered: 10/12/2004)
10/13/2004	 <u>238</u>	Notice of Referral of Appeal to Bankruptcy Appellate Panel Combined with Service of Notice of Appeal # 04-039 (related document(s) <u>236</u> Notice of Appeal,). (Attachments: # <u>1</u> Counsel Letter# <u>2</u> Request for Transcript of Recorded# <u>3</u> BAP's Amended Order 2002# <u>4</u> Docket Sheet) (Isreal, Sandra) (Entered: 10/13/2004)